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C O U N T Y M I C H I G A N
D E P A R T M E N T O F I N S T I T U T I O N A L
A N D H U M A N S E R V I C E S

Daniel T. Murphy, Oakland County Executive
HEALTH DIVISION
Thomas J. Gordon, Ph.D., Manager

July 1, 1987

Hi-Mill Manufacturing Co.
1704 Highland Road
Highland, Mi 48031
Attn: Richard Beard

JUL 07 1987

RE: MID 005341714

Dear Mr. Beard:

On June 18, 1987, staff of the Oakland County Health Division, acting as representatives of the Michigan Department of Natural Resources (MDNR), conducted an inspection of your facility located at 1704 Highland, Michigan. The inspection was conducted to evaluate compliance of your facility with the requirements of Subtitle C of the Resource Conservation and Recovery Act (RCRA) of 1976, as amended; Michigan's Hazardous Waste Management Act, Act 64 of 1979, as amended; and Michigan's Liquid Industrial Waste Hauling Act, Act 136, P.A. of 1969, as amended.

As a result of the areas reviewed during the inspection and information provided, your facility is currently classified as a generator of hazardous waste. As a result of that inspection, the following was determined: the company is in violation of all the generator requirements which include:

1. filing a biennial report to EPA
2. drum labelling and accumulation dates
3. personnel training
4. inspections
5. preparedness and preventative planning
6. contingency planning

Enclosed is a copy of the generator inspection report which indicates all generator requirements and applicable regulations. The generator requirements apply to your facility because of the amount of chromium wastes produced by your facility and the fact that you have declared the wastes to be hazardous on every manifest form observed.

It is possible that your waste chromium could be excluded from being a hazardous waste by having it tested. Exclusions are allowed by 40 CFR Subpart A 261.4(b)(6)(i) and Act 64 R 299.9204 (2)(f). Act 64 reads as follows:

- (2) The following wastes are not hazardous wastes for the purpose of the act and these rules:

(f) Wastes which fail the test for the characteristic of extraction procedure (EP) toxicity because chromium is present or are listed in R 299.9213 or R299.9214 due to the presence of chromium, which do not fail the test for the characteristic of extraction procedure (EP) toxicity for

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Hi-Hill Manufacturing (cont'd)

any other constituent or are not listed due to the presence of any other constituent, and which do not fail the test for any other characteristic, if it is shown by a waste generator or by waste generators that all of the following provisions are met:

- (i) The chromium in the waste is exclusively, or nearly exclusively, trivalent chromium.
- (ii) The waste is generated from an industrial process which uses trivalent chromium exclusively, or nearly exclusively, and the process does not generate hexavalent chromium.
- (iii) The waste is typically and frequently managed in non-oxidizing environments.

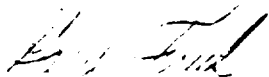
If your facility wishes to pursue the possible exclusion of the chromium waste, please advise this office in writing and make arrangements with a testing laboratory capable of doing the proper testing (EP toxicity and trivalent or hexavalent chromium). This should be accomplished by August 1, 1987. Provide this office with test results. If your chromium waste meets the requirements for exclusion, your facilities hazardous waste classification would be that of a small quantity generator and would greatly reduce the requirements your facility must follow regarding hazardous waste.

If your facility wishes to continue your present handling of your hazardous waste, the requirements of a fully regulated generator of hazardous waste will have to be completed by September 1, 1987. If this is your decision also advise this office in writing. Should the testing of the chromium waste not allow it to be excluded from regulation, you will be advised in writing as to a new date the company must meet generator requirements.

If you have any questions, please feel free to contact the writer at (313) 858-1398.

Very truly yours,

OAKLAND COUNTY HEALTH DIVISION
DEPARTMENT OF INSTITUTIONAL AND HUMAN SERVICES



Gary Frick, R.S.
Environmental Health Services

GF:sg

cc: OCHD
Ben Okwumabua, MDNR